

**MINUTES**  
**Regular Meeting of the College Park City Council**  
**Tuesday, January 25, 2011**  
**8:00 p.m. – 8:55 p.m.**

**PRESENT:** Mayor Fellows; Councilmembers Nagle, Wojahn, Catlin, Stullich, Cook, Afzali and Mitchell.

**ABSENT:** Councilmember Perry.

**ALSO PRESENT:** Joe Nagro, City Manager; Suellen Ferguson, City Attorney; Janeen Miller, City Clerk; Chantal Cotton, Assistant to the City Manager; Brian Burrell, Student Liaison; Steve Groh, Director of Finance; Terry Schum, Director of Planning, Elisa Vitale, Senior Planner.

Mayor Fellows opened the meeting at 8:00 p.m. Councilmember Cook led the Pledge of Allegiance.

**Minutes:** A motion was made by Councilmember Stullich and seconded by Councilmember Catlin to accept the minutes of the January 11, 2011 Regular Meeting. The motion passed 7 – 0 – 0.

**Announcements:** None

**Amendments to the Agenda:** Add 11-G-11, 11-G-12, 11-G-13 to the Consent Agenda (letters in support of previously adopted legislative priorities); move 11-G-07 Chinese Bible Church to the Consent Agenda.

**City Manager's Report:** Mr. Nagro reminded Council about the Four Cities Meeting tomorrow night but said that due to the threat of snow, a decision would be made by 3:00 p.m. about cancellation. He reminded Council about the University of Maryland's Town Hall meeting about the Purple Line on February 1 from 4 – 6 p.m.

**Student Liaison Comments:** Brian Burrell announced that Nariman Farvardin is no longer the Provost at the University of Maryland. Tomorrow the SGA is hosting Ann Wylie and representatives from the consultant that did the recent Purple Line study to discuss the Purple Line.

**Comments from the Audience on Non-Agenda Items:**

**Sarah Jazs, 9709 Wichita Avenue:** Questioned the cost and need for the Pattern Book; asked if it is worth putting \$50,000 toward this project; can the money be allocated elsewhere; the City should provide for active two-way participation by residents.

**Presentation:** A presentation about the planned "Beat Duke Week" events was given by Chief David Mitchell, University of Maryland Police, Major Rob Liberati, Prince George's County

Police District 1 Commander, Danita Nias, Assistant Vice President UMD Development and Alumni Relations and Steve Glickman, SGA President. President Loh charged members of the campus to find ways to channel student energy associated with the Duke basketball game in productive and appropriate ways that everyone in the community can be proud of. The web site address is [beatdukeweek.com](http://beatdukeweek.com).

**Consent Agenda:** A motion was made by Councilmember Mitchell and seconded by Councilmember Cook to adopt the Consent Agenda which consisted of the following items:

- 11-G-05      Approval of Policy for Rental of City Facilities on Holidays and Sundays**
- 11-G-06      A Motion To Voice No Objection To The Transfer Of A Class B (ECF) Beer, Wine, And Liquor License For The Use Of The University Of Maryland, T/A University Of Maryland University College Center Of Adult Education, 3501 University Blvd., East, Adelphi, MD 20783 In Order To Transfer The License To A New Authorized Person; From Jean L. Bielefedt, Associate Vice President Of Human Resources, To Mary Harmon, Assistant Provost Of Administration And Finance.**
- 11-G-07      Approval Of Detailed Site Plan 09010/1, With Conditions, For Chinese Bible Church Of College Park, Inc.**
- 11-G-11      Approval Of A Letter In Support Of PG 403-11 Public Utility Companies – University Of Maryland College Park Bus Service –Motor Carrier Permit Exemption – Removal Of Sunset.**
- 11-G-12      Approval Of A Letter In Support Of HB 41 Legislative Community Initiatives Loan Of 2004 – Prince George’s County – College Park City Hall**
- 11-G-13      Approval Of A Letter In Support Of PG 415-11 Prince George’s County – Municipal Corporations – Tax Credit For Revitalization Districts**

City Manager Joe Nagro asked if Council could attend any of the hearings in Annapolis on the legislative items.

**The motion carried 7 – 0 – 0.**

**Action Items:**

- 11-G-01      Approval Of Detailed Site Plan DSP 09031, With Conditions, For Domain College Park, Approval Of Annexation Agreement Between The City Of College Park And Domain College Park LLC, And Approval Of Second**

**Amendment To Declaration Of Covenants And Agreement Regarding Land  
Use Between The City Of College Park And Domain College Park LLC**

A motion was made by Councilmember Afzali and seconded by Councilmember Mitchell that the City Council recommend approval of DDS 604 for parking space dimensions and loading space location, Alternative Compliance for sections 4.1, 4.2, 4.4 and 4.7 of the Prince George's County Landscape Manual, and DSP 09031 subject to the following conditions:

1. Prior to approval of the DSP by the Planning Board, the applicant shall enter into an Annexation Agreement, in substantially the form as attached, with the City. The City Manager is authorized to sign this Agreement on behalf of the City.
2. Prior to Final Plat of Subdivision for the Property, the applicant shall:
  - a. Enter into and provide a copy to the City (or the City's designee) for review and approval an Easement Agreement, for a period of not less than 99 years, with the University United Methodist Church for the outdoor plaza on the Church's property (the "Outdoor Plaza"), which shall include that, subject to the Church's approval, neither Domain nor its successors or assigns will contest future access to the Outdoor Plaza that is not part of the easement area and that Domain and/or its successors or assigns shall facilitate, at no cost to Domain or its successors and assigns, future access to the Outdoor Plaza from adjoining properties, provided that neither Domain nor its successors or assigns will be obligated to incur any costs and/or expenses associated with the designing, coordinating, financing, or constructing of such future access, which costs and expenses shall be the obligation of the party seeking to obtain such future access to the Outdoor Plaza;
  - b. Obtain a permanent easement from the University of Maryland to ensure access to the Property from Mowatt Lane, if the State of Maryland has not dedicated its half of the Mowatt Lane right-of-way to public use; and
  - c. Provide a letter from the University of Maryland agreeing to allow the applicant to modify the Mowatt Lane median to permit left turns into the property.
3. Prior to obtaining the first use and occupancy permit for the Project, Domain shall provide an easement to the City allowing public access across the Property to the Outdoor Plaza. The said easement shall allow such access beginning six months after issuance of the first use and occupancy permit for the Property and shall contain reasonable restrictions on public access to the Outdoor Plaza consistent with similar public spaces (e.g., prohibition of skateboarding, restriction of access to daylight hours, etc.) and such other provisions as mutually agreed upon by and between Domain and the City.
4. The applicant shall revise the DSP as follows:
  - a. Show outdoor plaza improvements and include the outdoor plaza within the limit of disturbance;
  - b. Provide complete crosswalks across the intersections with the project access driveways and Campus Drive and Mowatt Lane and provide a detail for the crosswalk treatment that includes a brick paver crosswalk at the Campus Drive entrance;

- c. Provide curb ramps at all intersections;
  - d. If the Purple Line is aligned along the subject property's frontage, the applicant shall adjust its streetscape to provide a wide sidewalk with street trees located in tree pits with grates;
  - e. Subject to review and approval by the City of College Park, University of Maryland and DPW&T, modify the Mowatt Lane section to include a 12-foot planting lawn for foundation plantings; 8-foot sidewalk; 5-foot (measured from face of curb) planting lawn for street trees; 5-foot bike lane; 11-foot travel lane; and 8-foot median;
  - f. Subject to review and approval by the City of College Park, University of Maryland and DPW&T, modify the Campus Drive section to include 5-foot on-road bike lanes and 11-foot travel lanes in each direction with a 3-foot striped median in the center of the roadway at the approach to the circle and a 4-foot raised concrete median across the driveway entrance to Domain to restrict access to right-in/right-out only – the raised median across the driveway entrance shall incorporate a mid-block crossing with pedestrian refuge;
  - g. Provide an internal striping and signage plan, including markings such as directional arrows, lane markings, and other roadway commands, for the parking garage;
  - h. Provide a sign plan to direct the public to the outdoor plaza;
  - i. In coordination with the City and the University of Maryland select a pedestrian scale streetlight for Campus Drive and Mowatt Lane;
  - j. Delineate streetscape details, including lane control markings, lighting, curb ramps, splitter island locations, driveway crossings, bus stop access, pedestrian safety symbols, and pedestrian safety signage;
  - k. Provide specifications, location, and quantity information for all streetscape amenities, including lighting, benches, trash receptacles, and bike racks;
  - l. Provide bicycle parking for a total of 24 bikes, the majority of which is to be located along the Campus Drive retail frontage;
  - m. Reduce retail signage to no more than 10 percent of retail frontage; and
  - n. Provide details, including size, location, color, and lighting for project signage.
- 5. Provide a color and materials board for review and approval by City Planning staff.
  - 6. Prior to the Planning Board hearing, provide revised architecture for the Mowatt Lane building elevation for City staff review and approval that is less commercial and more residential in nature.
  - 7. Prior to DSP approval, Domain shall identify a location on the DSP for bike share, and prior to building permit approval for the Project, Domain shall pay to the City the sum of \$31,000 for installation of a 4-bike, 7-dock bike share station in the designated location.
  - 8. In coordination with the City of College Park and M-NCPPC develop a process to identify a local artist to design the public art that is to be located along the Campus Drive frontage.

- 9. If the applicant is unable to construct 5-foot on-road bike lanes on Campus Drive and Mowatt Lane, the applicant and the applicant's heirs, successors, and/or assignees shall provide a financial contribution of \$210 to the Department of Public Works and Transportation (DPW&T) for the placement of "Share the Road" bikeway signage. A note shall be placed on the final plat for payment to be received prior to the issuance of the first building permit.**
- 10. Prior to approval of the final plat, the following note shall be placed on the plat: "Development of this site shall be in conformance with Stormwater Management Concept Plan 32124-2009-00," or as amended.**
- 11. Should a new access road be constructed contiguous to the west of the Domain College Park property, the applicant shall remove its Campus Drive curb cut and gain access to the proposed parking garage on the property from the new road, subject to approval of the entity with jurisdiction over the new access road.**
- 12. Prior to the issuance of a building permit, the applicant shall provide full financial assurance in the form of a bond with, and in an amount acceptable to, DPW&T, for the above-referenced Campus Drive and Mowatt Lane improvements. The Campus Drive and Mowatt Lane improvements shall be constructed prior to the issuance of the first use and occupancy permit.**
- 13. Subject to approval by DPW&T, the applicant shall provide right-in/right-out access only to the subject property from Campus Drive. Further, subject to DPW&T approval, if, in the future, the access point to Valley Drive is aligned with the project's access from Campus Drive, the applicant may, through a revision to any approved DSP, provide full access to the site upon demonstration of acceptable levels of service.**
- 14. The applicant and the applicant's heirs, successors and/or assignees shall submit 3 original Recreational Facilities Agreements (RFA) to M-NCPPC for construction of recreational facilities on-site for approval prior to the submission of final plats. Upon approval by M-NCPPC, the RFA shall be recorded among the County Land Records.**
- 15. The applicant and the applicant's heirs, successors and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee for the construction of recreational facilities, prior to the issuance of building permits. The recreational facilities to be required shall be determined with the full review of the permit site plan.**
- 16. Prior to approval of the DSP by the Planning Board, the applicant shall enter into a Second Amendment to the Declaration of Covenants and Agreement Regarding Land Use, in substantially the form as attached, with the City. The City Manager is authorized to sign this Agreement on behalf of the City.**

Mr. Afzali stated that the Applicant's property is a 2.66-acre site in the M-X-T Zone. The property is located at 7720 Mowatt Lane with frontage on Mowatt Lane and Campus Drive. When the City reviewed the Applicant's request to rezone the property in 2008, the developer indicated its commitment to annexation. The City held a charrette April 28-30, 2010 for the Domain project area. The charrette identified three primary themes: create a compact, pedestrian-friendly mixed-use neighborhood; enhance Campus Drive as an attractive pedestrian-

oriented “gateway” and calm traffic; and improve Mowatt Lane as a pedestrian- and bicycle-friendly residential-scale street. The Applicant is proposing to develop 256 units of market rate multifamily apartments in four stories over 10,000 square feet of ground floor retail oriented to Campus Drive. The majority of the units, 197 or 77%, will be one bedroom. The Applicant is providing 380 spaces of structured/underground parking. The Applicant hopes to break ground at the end of 2011. He is happy that the bike share program has been worked out.

There were no comments from the audience.

Councilmember Nagle said she believes this will be a wonderful project for College Park. Approval of the motion authorizes the City Manager to sign an Annexation Agreement and the Second Amendment to the Declaration of Covenants. Because she was not part of the Council when the Annexation Agreement or Declaration of Covenants were negotiated, she doesn’t feel she understands the benefits and impacts of both of these documents, so she plans to abstain from the vote tonight.

**The motion passed 6 – 0 – 1 (Nagle abstained).**

**11-G-08      Approval Of A Letter To The Board Of License Commissioners Voicing No Objection To The Renewal Of Liquor Licenses For City Establishments**

**A motion was made by Councilmember Catlin and seconded by Councilmember Wojahn to authorize the City Manager to send a letter to the Board of License Commissioners, and for staff to testify to the Board, stating that the City of College Park does not object to, and voices no opposition to, the renewal of liquor licenses held by business establishments located in the City of College Park.**

Councilmember Catlin stated that all alcoholic beverage licenses in the City of College Park are due for renewal within the next few months. The Prince George’s County Board of License Commissioners requires that, if a municipality wishes to voice its recommendations for a denial of a renewal, it must conduct a public hearing and submit a verbatim transcript to the Board no later than midnight on March 1, 2011. He asked about the Azteca Restaurant which is not open yet; Mr. Ryan replied they have not picked up their license yet so are not included on this list.

There were no comments from the audience on this item.

**The motion passed 7 – 0 – 0.**

**11-O-01      Introduction of 11-O-01, An Ordinance Of The Mayor And Council Of The City Of College Park, Maryland, Amending Chapter 184 “Vehicles And Traffic”, Article II “Parking Regulations” By Repealing And Reenacting §184-8, “Permits Required For Certain Vehicles” To Allow Certain Commercial Vehicles To Park On City Streets And Make Conforming Changes.**

**A motion was made by Councilmember Nagle and seconded by Councilmember Wojahn to introduce 11-O-01.**

Councilmember Nagle read the title into the record and announced that the Public Hearing would be held on February 22, 2011 at 7:30 p.m.

#### **11-G-09          Appointment of the 2011 College Park Redistricting Commission**

**A motion was made by Councilmember Cook and seconded by Councilmember Nagle to approve the following appointments to the 2011 College Park Redistricting Commission: from Councilmember Nagle: Tim Miller; from Councilmember Wojahn: John Krouse, from Councilmember Catlin: Jenna Beveridge; from Councilmember Perry: Christopher Dullnig; from Councilmember Stulich: Cynthia Lollar; from Councilmember Cook: Sean O'Donnell; from Councilmember Afzali: Alan Hew; from Councilmember Mitchell: Anna Owens; from Mayor Fellows: Maxine Gross and Robert Day; from the SGA: David Bransfield.**

Councilmember Cook stated that the City's Charter requires the City to divide itself into four (4) Councilmanic districts with two (2) council members elected from each of these four (4) districts, and requires the City to review its council districts not less than once every ten years, as soon as feasible after the decennial federal census figures are published. Data from the decennial census are expected to be available by the end of February. The City Council adopted Resolution 10-R-31 on November 9, 2010 to establish a city Redistricting Commission to review and recommend the appropriate reapportionment of the City Council districts and to formulate a charge to the Redistricting Commission. Pursuant to that resolution, an eleven member redistricting commission must be appointed. Each Councilmember has one appointment, the Mayor has two appointments, and the University of Maryland SGA has one appointment. All members must be City residents. The redistricting commission will be invited to next week's Worksession on February 1 to officially receive their charge from the City Council.

**The motion passed 7 – 0 – 0.**

#### **11-G-01          Appointments To Boards And Committees**

**A motion was made by Councilmember Wojahn and seconded by Councilmember Afzali to appoint Gemma Evans to the Committee for a Better Environment. The motion passed 7 – 0 – 0.**

#### **Council Comments:**

Councilmember Nagle asked staff to follow up on Ms. Jazs's comments about the Pattern Book. She wants to find a way to be more interactive with the residents and discussed the use of social media to improve on communication.

Councilmember Mitchell commented on the Martin Luther King Tribute at the Clarice Smith Center on Saturday and thanked Mrs. Lomax and the Tribute planning committee. She also thanked Officer Willis and Officer Gonzalez for their response to an incident in her neighborhood.

Mayor Fellows also commented on the Martin Luther King Tribute and on the Boys and Girls Club annual dinner on Saturday night.

**Comments from the Audience:**

**Tim Miller, 5119 Niagara Place:** Commented on the Pattern Book. Would like to see that \$50,000 spent on advertising to get more people to move to College Park.

City Manger Nagro asked Council to consider giving Mayor Fellows authorization during the legislative session to sign letters on our three legislative priorities without putting them on the agenda each time because the letters are sometimes needed before a meeting is scheduled. He said he could send an e-mail to Council to let them know it is happening.

**11-G-14: Authorization for the Mayor to sign letters in support of the City's three legislative priority items with e-mail notification to the Council.**

**The motion was made by Councilmember Afzali and seconded by Councilmember Stullich.**

There were no comments from the audience.

**The motion passed 7 – 0 – 0.**

**Adjournment:** A motion was made by Councilmember Stullich and seconded by Councilmember Wojahn to adjourn the Regular Meeting. The meeting was adjourned at 8:55 p.m. by a vote of 7 – 0 – 0.

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Janeen S. Miller, CMC  
City Clerk

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Date  
Approved

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Pursuant to §C6-3 of the College Park City Charter, at 9:50 p.m. on January 18, 2011 in the Council Chambers at City Hall, a motion was made by Councilmember Wojahn and seconded by Councilmember Catlin to enter into an Executive Session, citing the following authority:

I) Consider matters that relate to collective bargaining negotiations

The motion passed 7 – 0 – 0 (Stullich absent) and the Executive Session convened at 10:00 p.m.



**Present:** Mayor Fellows, Councilmembers Nagle, Wojahn, Catlin, Perry, Cook, Afzali and Mitchell.

**Absent:** Councilmember Stullich.

**Also Present:** Joe Nagro, City Manager; Steve Groh, Director of Finance; Janeen Miller, City Clerk; Chantal Cotton, Assistant to the City Manager; Brian Burrell, Student Liaison (left shortly after the meeting began).

**Topic Discussed:** The City Manager discussed with the Council his proposal for upcoming collective bargaining negotiations.

**Adjourn:** A motion was made by Councilmember Perry and seconded by Councilmember Cook to adjourn the Executive Session. Mayor Fellows adjourned the Executive Session at 10:15 p.m. with a vote of 7 – 0 - 0.